

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 07-60111

KARLA E. BENNETT,

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER DENYING DEBTOR'S MOTION TO REOPEN BANKRUPTCY CASE

On October 7, 2007, Debtor filed a voluntary petition for relief under Chapter 13, initiating this case. On November 16, 2008, the case was converted to Chapter 7. On February 17, 2009, the Court entered an order granting Debtor a discharge under 11 U.S.C. § 727. On February 20, 2009, the bankruptcy case was closed. Almost three months later, on May 3, 2009, Debtor filed a "Motion To Reopen Case" (Docket # 66, the "Motion"). The Motion states, in relevant part: "The Debtor wishes to reopen her case to allow her and Rouge Employees Credit Union to negotiate reaffirmation agreements." (Mot. to Reopen at ¶ 3.) On June 3, 2009, Debtor filed a Certificate of No Response, indicating that no one had objected to the Motion.

Under 11 U.S.C. § 524(c)(1), a reaffirmation agreement is not enforceable unless it "was made before the granting of the discharge under section 727." Because the Motion fails to demonstrate that Debtor and Rouge Employees Credit Union made the reaffirmation agreements at issue before Debtor was granted a discharge on February 17, 2009, the Motion fails to demonstrate that there can be an enforceable reaffirmation agreement between these parties.

For these reasons, no purpose would be served by reopening this bankruptcy case.

Accordingly,

IT IS ORDERED that "Motion To Reopen Case" (Docket # 66), is DENIED.

Signed on June 03, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge